

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

THERESE CHINAVARE,

Plaintiff,

Case No.

-vs-

HON.

**METROPOLITAN LIFE
INSURANCE COMPANY,**
a New York corporation,

Defendant.

CHARLES W. PALMER (P29271)
Attorney for Plaintiff
140 Elm Street
Wyandotte, MI 48192
(734) 284-5550
cpalmerpc@sbcglobal.net

COMPLAINT

Plaintiff, Therese Chinavare, by and through her attorney, Charles W. Palmer, P.C., says as follows:

1. Plaintiff is a resident of the City of Newport, Monroe County, Michigan.
2. Defendant Metropolitan Life Insurance Company is a New York corporation, which is doing business in the State of Michigan.
3. This Court has jurisdiction pursuant to ERISA, 29 U.S.C. §1132(e) and 28 U.S.C. §1131.
4. Venue in this Court is appropriate because the actions complained of herein occurred in the Eastern District of Michigan, Southern Division.
5. Plaintiff was the beneficiary of a short-term disability contract with defendant Metropolitan Life Insurance Company through her employer, Citigroup.

6. Defendant has refused to pay plaintiff short-term disability benefits from May 22, 2017 through August 20, 2017.

7. Plaintiff has exhausted all administrative remedies prior to bringing this action.

8. Plaintiff's claim seeks to recover benefits, enforce rights, including a clarified right to future benefits under 29 U.S.C. §1132(a)(1)(b).

9. Defendant's denial of plaintiff's short-term disability benefits was arbitrary and capricious and is not supported by substantial evidence in the administrative record.

WHEREFORE, plaintiff requests this Honorable Court enter judgment for plaintiff against defendant for damages and attorneys fees pursuant to 29 U.S.C. §1132, and any other relief this Court deems equitable, just and proper

Dated: January 17, 2018

Respectfully submitted,

s/ Charles W. Palmer

CHARLES W. PALMER (P29271)
Attorney for Plaintiff
140 Elm Street
Wyandotte, MI 48192
(734) 284-5550
cpalmerpc@sbcglobal.net

CERTIFICATION OF SERVICE

I hereby certify that on January 17, 2018, I electronically filed the foregoing Complaint with the Clerk of the Court using the ECF system.

s/ Charles W. Palmer

CHARLES W. PALMER (P29271)
Attorney for Plaintiff
140 Elm Street
Wyandotte, MI 48192
(734) 284-5550